



Jason T. Shafron

Member of New Jersey and New York Bars

jshafron@shafronlaw.com

Two University Plaza, Suite 400

Hackensack, NJ 07601

201-343-7200 Main

201-343-7288 Fax

May 5, 2016

VIA ELECTRONIC FILING

Honorable Leda Dunn Wettre, U.S.M.J.

United States District Court

Martin Luther King Building & U.S. Courthouse

50 Walnut Street

Newark, NJ 07101

Re: North River Mews Associates, LLC et al. v. Alcoa Inc. et al,
No. 2:14-cv-08129 (MCA-LDW)

Dear Judge Wettre,

This firm represents Plaintiffs North River Mews Associates, LLC and 38 COAH Associates, LLC, and Counterclaim Defendants, River Road Improvement Phase II, Inc. and Fred A. Daibes (collectively "North River"), in the above-referenced matter. Pursuant to Your Honor's direction during the April 28, 2016 telephone conference, North River and Defendant Enviro-Sciences (of Delaware), Inc. ("Enviro-Sciences") have conferred with regard to fact discovery. Fact discovery between North River and Enviro-Sciences is currently scheduled to end on May 6, 2016. North River and Enviro-Sciences jointly submit this letter to request a ninety (90) day extension to conclude fact discovery and briefly explain the basis for the joint request.

North River and Enviro-Sciences produced tens of thousands pages of documents in this matter. North River received a copy of Enviro-Sciences responses from North River's initial counsel on April 26, 2010. Counsel for Enviro-Sciences had to review tens of thousands of documents spanning decades from its client prior to producing the documents to our firm and serving discovery demands upon North River. North River is now currently reviewing the ten thousand pages of documents contained in Enviro-Sciences responses to North River's discovery demands. Additionally, North River recently retained this firm as counsel for this matter, and additional time is needed to become fully familiar with facts and documents surrounding this complex matter.

North River and Enviro-Sciences have not yet conducted depositions in this matter. The parties have been unable to proceed with depositions because co-defendant Alcoa has refused to participate in discovery until there has been a decision on Alcoa's pending motion to dismiss. Alcoa's participation in discovery is necessary, as Alcoa alleges that Enviro-Sciences and/or

North River wrongfully filed certain documents with the NJDEP, specifically a Deed Notice and termination of Deed Notice.

Enviro-Sciences also maintains that the filing and termination of Deed Notice form the basis of North River's indemnification and breach of contract claim as well as part of its professional negligence claim against Enviro-Sciences. As such, Enviro-Sciences believes Alcoa's potential dismissal from this matter would ultimately affect its own liability.

Given Your Honor's indication during the April 28th telephone conference that a decision on Alcoa's motion is expected within the next month, North River and Enviro-Sciences believe that a ninety (90) day extension will be sufficient time to enable all parties to be present for depositions.

We respectfully request that Your Honor extend the time for North River and Enviro-Sciences to conduct fact discovery by ninety (90) days to August 4, 2016. Should Your Honor need any further information, please do not hesitate to contact us.

Respectfully Submitted,

s/ Jason T. Shafron

Jason T. Shafron

cc: All counsel (via ECF)